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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE:

CHARLES WITHERSPOON AND ELIZABETH
C. WITHERSPOON

DEBTORS.

WITHERSPOON ET AL

PLAINTIFFS,

V.

WORLD SAVINGS BANK ET AL,

DEFENDANT.

Case Nos. 06-52719
11-48615

Chapter 13

Adversary No. 08-05205

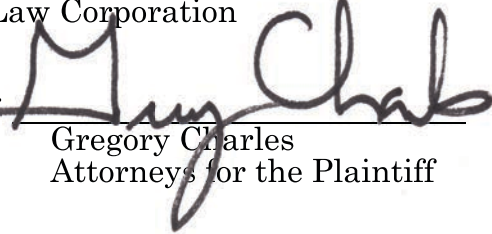
**Status Report and Opposition to
Dismissal**

At the Status Conference on July 13, 2011, the undersigned counsel advised the Court that the underlying bankruptcy had been dismissed, but the plaintiffs intended to file another Chapter 13 proceeding. As a result, the Court stated that it would dismiss the case without prejudice but stay the order for 60 days allowing the plaintiffs to file another case. The plaintiffs filed a Chapter 13 proceeding on August 11, 2011, and the matter is assigned to Judge Lafferty bearing Case No. 11-48615. Accordingly, the

1 matter is not properly dismissed and should proceed.

2 Dated: September 13, 2011

CAMPEAU GOODSSELL SMITH
A Law Corporation

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4 By: 
5 Gregory Charles
6 Attorneys for the Plaintiff
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CERTIFICATE OF SERVICE

I am over eighteen years of age, not a party, and employed at 440 North 1st Street, Ste. 100, San Jose, CA 95112. I am familiar with the processing of documents for delivery noted below. I caused to be served the following on the date listed below: Status Report and Opposition to Dismissal

By the following means:

U.S. MAIL – I placed copies in envelopes that were then sealed and, with postage fully prepaid thereon, on this date placed for collection and mailing at my place of business following ordinary business practices. Envelopes will be deposited with the U.S. Postal Service at San Jose, California on this date in the ordinary course of business; and there is delivery service by U.S. Postal Service at the place so addressed.

E-MAIL: Pursuant to an agreement of the parties, I caused the document[s] to be sent to the person[s] at the e-mail address[es] listed below.

✓ ECF: I caused the document[s] to be sent to the person[s] at the e-mail address[es] listed below through the electronic court filing system maintained by the court in this action.

HAND DELIVERY: I caused the documents to be hand delivered to the addressee.

On this person or persons:

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On September 13, 2011, I declare that the above is true and correct.